

Approved Minutes

City of Bloomington
Development Review Committee
March 10, 2015

McLeod Conference Room
Bloomington Civic Plaza – 1800 West Old Shakopee Road

Staff Present

Laura McCarthy (Fire Prev) – Chair, 952-563-8965 Erik Solie (Environmental Health) 952-563-8978
Kent Smith (Assessing) 952-563-8707 Glen Markegard (Planning) 952-563-8923
Duke Johnson (Bldg. & Inspection) 952-563-8959 Michael Centinario (Planning) 952-563-8921
Jen Desrude (Engineering) 952-563-4862 Dennis Fields (Planning) 952-563-8925
Denise Dargan (Engineering) 952-563-4629 Heidi Miller (Police) 952-563-4975
Randy Quale (Parks & Rec) 952-563-8876

<i>Item # 3 - Informal</i>	Seven Hills Academy
<i>Site address</i>	6100 W 110th street
<i>Previous DRC Appearance</i>	different location at 9549 Penn Avenue
<i>Application type</i>	Comp Plan Amendment; Conditional Use Permit; Final Site and Building Plan; Ordinance Amendment; Rezoning; Variance
<i>Staff contact</i>	Fields, Dennis Ext. 8925
<i>Proposal</i>	Seven Hills Preparatory Academy (SHPA) are applying to use the industrial building at 6100 W 110th Street for a K-12 school. The initial plans are for a grade 6-8 school SHPA's primary use would be during the week from 8:00 a.m. – 4:00 p.m. There would be exterior improvements to provide a bus drop-off area and create one way drive aisles. An area to the south would provide playground area for school.
<i>Staff comments</i>	The site is Zoned IP Industrial Park and Industrial on the Comprehensive Plan. The primary use as a School would necessitate a Comprehensive Plan Amendment and a change of Zoning or Ordinance amendment to add the School use in the IP zoning district.
<i>Plat name</i>	Unplatted
<i>Decision maker</i>	City Council
<i>Replat/Park dedication</i>	No
<i>Reviews</i>	DRC; City Council; Hennepin County; Planning Commission
<i>Contact 1</i>	Shawn Smith > ssmith@wildamere.com > Direct 952 897 7745 Main 952 897 7700 Cell 651 353 9515

Guests Present

Steve Shepherd – Colliers International – steve.shepherd@colliers.com > 952.836.5336
Carl Schlueter – Beacon Preparatory School – cschlueter@bpsmn.org > 952-426-6000
Bob Erickson – Wildamere – rerickson@wildamere.com
Shawn Smith – Wildamere – ssmith@wildamere.com > 651-353-9515
Eric Rossbach – Colliers International – eric.rossbach@colliers.com > 651-307-3376
Traci Tomas – GPG Continental Property Group – ttomas@leasespace.com > 612-328-1727

Discussion/Comments:

- Dennis Fields (Planning):
 - Seven Hills Preparatory Academy (SHPA) is applying to use the industrial building at 6100 W. 110th Street as a charter school. The initial plans are for a grade 6-8 school. SHPA's primary use would be during the week from 8:00 a.m. – 4:00 p.m. There would be exterior improvements to provide a bus drop-off area and create one way drive aisles. An area to the south would provide playground area for school.
 - The site is zoned IP – Industrial Park and guided Industrial. Use as a K-12 school is in conflict with comprehensive plan and would not be an allowed use in the zoning district.
 - Discussed floor plan, specifically the theater area and gymnasium. Classroom uses on first floor and second floor.
 - Site has two buildings currently. The other building is a warehouse. Parking in rear of school building would be turned into play area and reconfigured parking area. Bus drop-off in front of building.
- Randy Quale (Park and Recreation): No comment
- Kent Smith (Assessing): With this being a lease on one building, it would be taxable.
- Erik Solie (Environmental Health):
 - Asked if cooking would be done at school. Confirmed food would be transferred from another location and have a prep kitchen in the school. Need to get set of plans prior to approval.
- Duke Johnson (Building and Inspection):
 - Elevator requirements are different for this type of building versus an office. Architect to work this out with State Elevator Inspector.
 - Have architect call Duke Johnson to set up preliminary plan review.
- Laura McCarthy (Fire Prevention):
 - With the E occupancy classification, fire alarm will need to be upgraded to meet E occupancy requirements.
 - The proposal is to add a playground on the west side of the building. Right now the site is code compliant for fire lane. Adding the playground will compromise the fire lane around the building. Fire lane needs to be maintained around building.
 - If food onsite in the future, the kitchen will require a Piranha suppression system.
 - Fire hydrants – any parking lot changes would require water supply requirements be upgraded to the current code. Need to evaluate that water supply is available within 150 feet of any portion of the building.
- Heidi Miller (Police):
 - BPD has concerns with the proximity of the playground to the pond, because there is not a fence currently installed. Drowning is a concern with having a playground nearby.
- Jennifer Desrude (Engineering) provided the Public Works comments and noted the following:
 - With changes to the site, including the playground, will need civil engineering plan.
 - Mixture of commercial and school traffic is a concern. Will need to show how separation can be accomplished by providing a circulation plan. Need for the uses to be completely separated to keep truck traffic away from the school and pick-up/drop-off away from large trucks.
 - Stormwater management plan will be required.
 - Sewer availability charge may be required.
 - If proposing a kitchen, an external grease interceptor is required.

- Potential for special traffic study may be required. The use in this area might trigger this.
 - Erickson asked if this is driven by number of parents dropping off vs. bussing. Desrude explained that the code has to do with the use on a certain type of street. Desrude to confirm with Planning.
- Dennis Fields (Planning):
 - Use of the site as a K-12 school is not allowed by the Zoning Ordinance and would require a rezoning to a district that either allows for a school, which would make the warehousing use on site nonconforming, or an ordinance amendment to allow schools in the Industrial Park district. Staff would not support either a rezoning or an ordinance amendment to allow K-12 schools in industrial districts. A K-12 school is not compatible with other industrial uses.
 - Shepherd asked him to elaborate on the school uses allowed in the IP District. Glen Markegard (Planning) said there were previously three categories: “private school”, “K-12 private school”, and “K-12 public school”. K-12 schools were not allowed although “privateschools” were allowed as a conditional use. After the City Code amendments in January of 2015, “private schools” were replaced with the term “instructional center”. K-12 was not allowed in the IP District prior to the amendments and is not an allowed use today. Staff would not recommend allowing K-12 schools in industrial areas given the incompatible use characteristics of other industrial uses including fumes and noise.
 - Erickson said that with the previous site, they had overcome most of the issues, but stated that Staff expressed similar concerns about school-industrial use conflicts at that location, so they ended up with this current proposed location. He said they intend to move forward with this location. Markegard agreed that Staff had similar concerns regarding the prior industrial location SHPA was considering but did not direct SHPA to seek out other industrial locations. Markegard asked, since they intend to pursue this site, whether SHPA would pursue a rezoning or a Code amendment. Erickson said that would be decided after the meeting. Markegard commented that the site is deep within the Western Industrial Area and that a rezoning would likely be considered a spot zoning, which is prohibited under State law.
 - Markegard stated that Fire Codes prohibit certain industrial practices within a set distance of a school. In addition to the concerns of incompatible characteristics between industrial uses and K-12 schools, placing a K-12 school in an industrial area would effectively limit what type of uses surrounding industrial sites could put in place due to separation requirements between E occupancies and other uses in the Fire Code
 - Markegard reiterated that City Codes do not allow K-12 schools in industrial zoning districts but that there are many other zoning districts in Bloomington that allow K-12 schools. Almost all Bloomington K-12 schools are in residential districts. Markegard said staff would love to see SHPA expand in Bloomington and offered to meet with SHPA and their representatives immediately after the DRC meeting to review City Codes and discuss the districts in which K-12 schools are allowed under the City Code.
 - McCarthy reiterated that, should this project move forward, there will be limitations to what they can have on the other properties. The E occupancy classification may limit the ability to lease the other building spaces. Tomas said the property owner understood the limitations.

- Fields said that in addition to rezoning or ordinance amendment, the Comp Plan land use designation would need to be amended from Industrial to Quasi-Public Land Use. Erickson asked if this would be minor or major. Fields clarified that there isn't a City process for minor or major Comp Plan amendments.
- Parking analysis was done considering the K-12 school use, the gym and the theater. Code requirements are different for classrooms than for assembly areas. Code requires one space per three occupants in assembly areas and a requirement per square foot for the classroom spaces within the building. Right now, based on 1 person per 15 square feet, the assembly will require 137 parking spaces, plus 48.5 spaces for the classroom use, totaling 185 spaces for all uses that are being shown. The site plan shows approximately 125 parking spaces, which is short on parking by about 60 spaces. This code applies to all new schools, or major revisions to existing schools.
- Interior trash room is required because of the kitchen facility – Trash room must be located inside the principle building.
- Sidewalk connection from the public street – will need to show connection and include bike racks.
 - Tomas asked what requirements or considerations are triggered if there are two separate parcels. McCarthy said that, by fire code, it would come down to required distances from the E occupancy to hazardous occupancies. Separate platting won't change that.
 - Markegard said "spot zoning" prohibitions and the location of the parcel surrounded by other industrial zoning makes it more difficult to rezone.
 - Shepherd asked what zoning districts are recommended for them to pursue. Markegard encouraged them to pursue locations that are zoned to allow a K-12 school. Shepherd said the previous code stated that private schools were allowed in the IP District and said there was no definition. Markegard corrected that "private schools" were defined.
 - Schlueter would like to stay in Bloomington and would like to open in the fall of 2015, but will need guidance on future options.
 - McCarthy suggested a separate meeting outside DRC to define planning and zoning restrictions. Markegard said Planning staff was available immediately following DRC.